

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0971-01
Bill No.: HB 284
Subject: Agriculture and Animals; Agriculture Department; Crimes and Punishment; Law Enforcement Officers and Agencies
Type: Original
Date: March 1, 2013

Bill Summary: This proposal modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

§§ 578.600 - 578.624 - Large Carnivore Act:

Officials from **Department of Agriculture (AGR)** state there are currently 5 licensed large carnivore animal facilities in the state of Missouri with 9 total large carnivores. These facilities are assessed a \$250 annual fee to register their large carnivores with AGR. In FY 2013 the large carnivore fund has a balance of \$1,250 but AGR has not received any appropriation authority for the fund.

AGR assumes a minimal increase in expenses from this proposal that could be absorbed by the department since the number of new large carnivore permits is expected to be minimal.

Oversight assumes a fee will continue to be assessed by AGR for large carnivore permits, however the costs related to this proposal will be absorbed by AGR. In the event AGR experiences a noticeable increase in large carnivore registrations AGR may set those fees to cover expenses and seek appropriation authority through the normal budget process.

Oversight assumes current law requires owners or possessors of large carnivores to carry insurance policies of at least \$250,000. This proposal modifies this amount to either \$50,000 or an amount set by the Department of Agriculture (AGR). This proposal allows the acquisition of a surety bond or the making of cash deposits with the State Treasurer's Office instead of liability insurance as evidence of financial responsibility in the event of damages caused by the large carnivore. **Oversight** assumes this would not result in a direct fiscal impact to state or local government funds.

§§ 578.700 - 578.745 - Nonhuman Primate Act:

Oversight assumes the number of non-human primates living in the state of Missouri in non-exempt facilities is unknown or minimal.

Oversight assumes any costs related to the creation of the Nonhuman Primate Act would be minimal and could be absorbed with existing resources.

ASSUMPTION (continued)

Bill as a Whole:

Officials at the **Office of Prosecution Services (OPS)** assume this proposal would result in no measurable fiscal impact on OPS. However, the creation of a new crime creates additional responsibilities for county prosecutors. This may in turn result in additional costs which are difficult to determine.

Oversight assumes OPS and county prosecutors can absorb any costs related to this proposal.

Officials at the **Office of Attorney General (AGO)** assume that the number of nonhuman primates would be minimal and that any related costs could be absorbed with existing resources. If AGO receives significant referrals from the Department of Agriculture as a result of the proposal, it may request additional future appropriation

Oversight assumes any potential costs to the AGO, arising from this proposal, could be absorbed with existing resources.

Officials at the **Office of State Public Defender (SPD)** cannot assume that existing staff will provide effective representation for any new cases arising where indigent persons are charged with the proposed new crimes of a possession of a non-human primate without a permit would become a new class A misdemeanor. Releasing a non-human primate into the wild would be a new class D felony.

SPD assumes while the number of new cases may be too few or uncertain to request additional funding for this specific bill, the SPD will continue to request sufficient appropriations to provide effective representation.

Oversight assumes the SPD can absorb the additional caseload that may result from this proposal.

ASSUMPTION (continued)

Officials from the **Office of the Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

Officials from the **State Treasurer's Office, Office of State Courts Administrator, Department of Conservation, and Missouri State Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

Officials from numerous local police and sheriff departments did not respond to **Oversight's** request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

KB:LR:OD

FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Agriculture
Department of Conservation
Office of Secretary of State
State Treasurer's Office
Office of Prosecution Services
State Public Defender's Office
Office of the Attorney General
Missouri State Highway Patrol
Office of State Courts Administrator

Not Responding:

Local Police Departments
Local Sheriff Departments



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